IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI SOUTHERN DIVISION

DAVID STEBBINS,)
Plaintiff,)
v.) Case No. 10-3305-CV-S-RED
RELIABLE HEAT & AIR, LLC, et al., And)
RANDAL RICHARDSON, et al.)
Defendants.))

MOTION FOR JURY TRIAL

Comes now Plaintiff David Stebbins, who hereby submits the following request for a trial by a jury of his peers.

I never waived my right to a jury trial. I understand that the \$80,000.00 in lost wages is merely the monetary equivalent to injunctive relief, but I am also suing for \$150,000 in non-economic damages. Since the monetary damages exceed twenty dollars, I have the seventh amendment right to a trial by jury... a right which I do not recall waiving.

Apparently, the Western District of Missouri wants me to demand a jury trial, or else the right is deemed waived. If that is the case, then I am demanding it now.

Wherefore, I respectfully request that you void your rules for scheduling order, order for a bench trial, and rules for the bench trial, and replace them with a scheduling order and rules, respectively, for a jury trial.

It is so humbly requested on this 25th day of January, 2011.

David Stebbins

David Stellens

1407 N Spring Rd, APT #5 Harrison, AR 72601 Phone: 870-204-6024 stebbinsd@yahoo.com

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CERTIFICATE OF SERVICE

The undersigned hereby declares that a true and correct copy of Plaintiff's Motion for Jury was served on

Gary W. Allman Missouri Bar #19921 P.O. Box 5049 Branson, MO 65615 Phone: 417-332-2800

Fax: 417-332-1008 garywallman@gmail.com Attorney for: Defendants

by transmitting a copy via email transmission to <u>garywallman@gmail.com</u>, on the 23th day of January, 2011.

David Stebbins
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